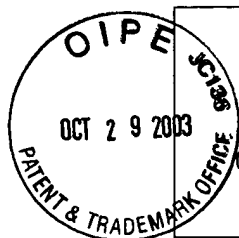


10-31-03

1761

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# TRANSMITTAL FORM

(To be used for all correspondence  
after initial filing)

|                      |                       |
|----------------------|-----------------------|
| Application Number   | 09/858,282            |
| Filing Date          | May 15, 2001          |
| First Named Inventor | Kurt Stippler         |
| Art Unit             | 1761                  |
| Examiner Name        | Curtis Edward Sherrer |
| Attorney Docket No.  | 880066.408C2          |

## ENCLOSURES (check all that apply)

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input checked="" type="checkbox"/> Amendment/Response<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement; Form PTO-1449<br><input type="checkbox"/> Cited References<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Parts under 37 C.F.R. 1.52 or 1.53<br><input type="checkbox"/> Response to Missing Parts/Incomplete Application | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Request for Corrected Filing Receipt<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address<br><input type="checkbox"/> Declaration<br><input type="checkbox"/> Statement under 37 CFR 3.73(b)<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund | <input type="checkbox"/> CD(s), Number of CD(s) _____<br><input type="checkbox"/> After Allowance Communication to Group<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group ( <i>Appeal Notice, Brief, Reply Brief</i> )<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Return Receipt Postcard<br><input type="checkbox"/> Additional Enclosure(s) ( <i>please identify below</i> ):<br>_____<br>_____<br>_____<br>_____ |
|--|---|---|

Remarks

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

|                 |                  |                 |       |
|-----------------|------------------|-----------------|-------|
| Individual Name | Susan D. Betcher | Customer Number | 00500 |
| Signature       |                  |                 |       |
| Date            | October 29, 2003 |                 |       |

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

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| Typed or printed name | **Sent Via Express Mail** |       |
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Kurt Stippler et al.  
Application No. : 09/858,282  
Filed : May 15, 2001  
For : METHOD AND DEVICE FOR CONTROLLING THE WORT  
FLOW FROM A LAUTER TUN



Examiner : Curtis Edward Sherrer  
Art Unit : 1761  
Docket No. : 880066.408C2  
Date : October 29, 2003

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents:

In response to the Restriction Requirement dated September 29, 2003, applicants hereby provisionally elects, with traverse, Group I, claims 12-19 and 25, for examination at this time.

Group I, claims 12-19 and 25, are drawn to methods for controlling a wort outflow from a lauter tun and Group II, claims 20-24, are directed to a device for brewing and controlling wort outflow. Applicants respectfully submit that a single search directed to the subject matter of claims 12-19 and 25 would necessarily reveal art directed to the subject matter of claims 20-24. Therefore, consideration of both groups would not be unduly burdensome on the Examiner.

The Examiner is invited to call applicant's undersigned counsel to discuss any issues that can be expediently resolved over the telephone during prosecution of the application.

Respectfully submitted,

Kurt Stippler et al.

Seed Intellectual Property Law Group PLLC

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